

NANTYGLO & BLAINA TOWN COUNCIL
CYNGOR TREF NANT-Y-GLO A BLAENAU

Council Offices, Blaina Institute, High Street, Blaina. NP13 3BN
Swyddfar Cyngor, Sefydliad Blaenau, Y Stryd Fawr, Blaenau, NP13 3BN

TEL: 01495 292817 e-mail: clerk@nantygloandblainatc.co.uk

Standing Orders

Adopted by Nantyglo & Blaina Town Council:

Signed:



Councillor D Hillman – Town Mayor/ Chairman

Dated: 22nd February 2022

Revised: February 2022

1a. Remote / Hybrid Meetings:

The Local Government and Elections (Wales) Act 2021 legislates that “from 1st May 2021, local authorities will be required to make arrangements to ensure their meetings are capable of being held remotely”. From May 2020 until March 2022, all meetings of the Council take place via the ‘Star Leaf’ application and enables all Councillors and Officers to attend via video link or phone link. From March 2022, council meetings will again take place in ‘person’ within the Council Chamber with the ability to hold remote/hybrid meetings using an appropriate platform. Meetings in person can only take place subject to statutory legislation providing for this and where a formal risk assessment having been carried out to ensure compliance.

2. Annual Council Meeting

In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the newly elected councillors take office.

In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.

If no other time is fixed, the annual meeting of the Council shall take place at 6.00pm. In addition to the annual meeting of the Council, other ordinary meetings may be held in each year on such dates and times as the Council may direct.

The election of the Town Mayor (Chair of the Council) and Deputy Town Mayor (Vice-Chair) (if any) of the Council shall be the first business completed at the annual meeting of the Council.

The Town Mayor, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.

In an election year, if the current Town Mayor of the Council has not been re-elected as a member of the Council, he shall preside at the meetings until a successor Town Mayor of the Council has been elected. The current Town Mayor of the Council shall not have an original vote in respect of the election of the new Town Mayor of the Council but must give a casting vote in the case of an equality of votes.

In an election year, if the current Town Mayor of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Town Mayor of the council has been elected. He may exercise an original vote in respect of the election of the new Town Mayor of the Council and must give a casting vote in the case of an equality of votes.

The business of the Annual Meeting is to proceed as per agenda.

xii) Manage the organisation, storage of and access to the information held by the Council in paper and electronic form.

xiii) Arrange for legal deeds (to be sealed using the Council's common seal) OR (to be signed by 2 councillors) and witnessed.

xiv) Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.

xv) Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;

xvi) Refer a planning application received by the Council to either the Planning Committee or to a meeting of the Council, without notice, in order to facilitate a decision within the statutory time limit, except where delegated powers are awarded to the Proper Officer (see item 35).

xvii) Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.

xviii) Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

xix) Exercise delegated powers in conjunction with the Leader of the Council on behalf of the Council when it enters a period of recession i.e. the month of August and the period following the committee (last) meeting in December through to the committee (first) meeting held in January (see item 35).

4. Motions requiring written notice

a) No motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 8 clear working days before the next meeting.

b) The Proper Officer may, before including a motion in the agenda, correct obvious grammatical or typographical errors in the wording of the motion.

c) If the Proper Officer considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 7 clear working days

- xii. To dissolve a committee or sub-committee.
- xiii. To note the minutes of a meeting of a committee or sub-committee.
- xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi. To authorise legal deeds (to be sealed by the Council's common seal) OR (signed by two councillors) and witnessed.
- xvii. To authorise the payment of monies up to £2500.
- xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xix. To extend the time limit for speeches.
- xx. To exclude the press and public for all or part of meeting.
- xxi. To silence or exclude from the meeting a Councillor or member of the public for disorderly conduct.
- xxii. To suspend any standing order except those which are mandatory by law.
- xxiii. To adjourn the meeting.
- xxiv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxv. To answer questions from councillors.

b) If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chair may direct for it to be dealt with at the present meeting for urgency or expedience.

6. Rules of debate

- a) Motions included in an agenda shall be considered in the order that they appear on the agendas unless the order is changed at the Chair's direction for reasons of expedience.
- b) Subject to standing orders, a motion shall not be considered unless it has been proposed and seconded.
- c) Subject to standing order, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d) A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been

amendment unless permission for the withdrawal or the motion or amendment has been refused.

s) Subject to standing order (o) above, when a councillor's motion is under debate no other motion shall be moved except:

- i. to amend the motion;
- ii. to proceed to the next business;
- iii. to adjourn the debate;
- iv. to put the motion to a vote;
- v. to ask a person to be silent or for that person to leave the meeting;
- vi. to refer a motion to a committee or sub-committee for consideration;
- vii. to exclude the public and press;
- viii. to adjourn the meeting;
- ix. to suspend any standing order, except those which are mandatory.

t) In respect of standing order 6(s)(iv) above, the Chair shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chair shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7. Questions

a) A councillor may seek an answer to a question concerning any business of the Council provided 3 clear days' notice of the question has been given to the Proper Officer.

b) Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.

c) Every question shall be put and answered without discussion.

8. Minutes

a) If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.

b) No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5 (a)(iv) above.

12. Voting on appointments

a) Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chair's casting vote.

13. Expenditure

a) Any expenditure incurred by the council shall be in accordance with the Council's financial regulations.

b) The Council's financial regulations shall be reviewed once a year.

c) The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee, up to the authorised amounts.

14. Execution and sealing of legal deeds

a) A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution. In accordance with a resolution made understanding order, any three members of the Council may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

(The above is applicable to a Council without a common seal.)

15. Committees

a) The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:

i. Shall determine their terms of reference (see appendix 1)

ii. May permit committees to determine the dates of their meetings;

iii. Shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;

iv. May appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have previously confirmed to the Proper Officer that they are unable to attend.

external audit), including the annual governance statement, shall be presented to Council for formal approval before 30th June.

20. Estimates/ Precepts

- a) The council shall approve written estimates for the coming financial year at its meeting before the end of January.
- b) Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

21. Canvassing of and recommendations by Councillors

- a) Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b) A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for an appointment.
- c) This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22. Inspection of documents

- a) Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

23. Unauthorised activities

- a) Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the council, a committee or a sub-committee:
 - i. Inspect any land and/or premises which the Council has a right or duty to inspect; or

appraisal of the employee's job title and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Personnel Committee at its next meeting.

d) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Town Mayor (Chairman of the Personnel Committee) or in his absence, the Deputy Town Mayor in respect of an informal or formal grievance matter, and this matter shall be reported and progressed by resolution of a newly appointed subcommittee.

e) Subject to the Council's policy regarding the handling of grievance (see employees contract of employment) and disciplinary matters, if an informal or formal grievance matter raised by an employee relates to the Town Mayor or Deputy Town Mayor (Chairman or Vice-Chairman of the Personnel Committee) this shall be communicated to the Council and progressed by resolution of a newly appointed subcommittee.

f) Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.

g) The Council shall keep written records relating to employees shall be secured under lock and key.

h) Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

i) Only persons with line management responsibilities shall have access to employee records referred to in standing orders (g) and (h) above if so justified.

j) Access and means of access by keys to records of employment referred to in standing orders (g) and (h) above shall be held by the Proper Officer and provided only to the post holder and with good cause, to the Town Mayor (Chairman of the Personnel Committee).

27. Freedom of Information Act 2000

a) All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling request under the Freedom of Information Act 2000.

b) Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Town Mayor. The said Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of

of Government Commerce, the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No.6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

30. Liaison with and County Borough Councillors

a) As per Charter Agreement.

31. Co-option of Members of Town / Community Councils

a) When the council intends to fill a vacancy by co-option, the Council must ensure the process is as set out in Local Government (Wales) Measure 2011, Part 7: Communities and Community Councils [Chapter 3].

b) All applications received for co-option are submitted to Members by way as an agenda item. A secret ballot will take place during the said meeting with the Proper Officer and a Member from each group to act as tellers. Please note that NO discussion is required.

32. Allegations of breaches of the code of conduct

a) On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to a committee known as the Grievance committee (Standards committee).

(b) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Grievance (or Standards) committee of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

c) Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.

d) The subject matter of notifications shall be confidential and, in so far as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Grievance (or Standards) Committee shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.

i. Draft the summonses and agendas in such a way that the identity and subject matter

34. Standing Orders to be given to councillors

- a) The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b) The Chair's decision as to the application of standing orders at meetings shall be final.
- c) A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

35. Delegated Powers

In the event of any period of recession e.g. the month of August and the Christmas period, the Town Clerk and the Leader of the Council jointly are awarded delegated powers.

36. Payment to Members:

The Town Council will consider the Independent Review Panel for Wales annual report in respect of Members Allowances. The Town Council will adhere to the mandatory requirements published within. The Town Council will also consider, and if appropriate resolve non-statutory guidelines.

Under no circumstances can a Member of the Town Council (whether elected or co-opted) become a paid member of staff, or for a period of up to 12 months after ceasing to be (LGA 1972 s.116).

37. Appointment of Town Mayor (or Deputy Town Mayor)

Prior to the Annual Meeting of the Council held in May, written nominations are invited in respect of the position of Town Mayor (Chair of the Council).

If there is a Deputy Town Mayor Vice - Chair of the Council) in post then that Member will automatically assume the position of Town Mayor (Chair of the Council) at the Annual Meeting (unless he/she declines the position) and nominations are then invited for the position of Deputy Town Mayor (Deputy Chair of the Council).

Members are able to nominate themselves for the position and the Member in receipt of most nominations shall be appointed as Town Mayor (Chair of the Council) or Deputy Town Mayor (Vice – Chair of the Council) (as outlined above).

Finance & General Purposes Committee:

- 3.0 The Finance & General Purposes Committee will meet every second Tuesday of the month except for the month of August.
- 3.1 To consider and respond to requests for financial donations from local groups (in line with the resolved financial grants policy).
- 3.2 To consider and resolve all financial matters of the Town Council, including but not limited to: monthly income & expenditure reports; quarterly budget monitoring reports; reserve account reports; consideration and scrutiny of the budget and precept reports prior to resolution at Full Council & insurance matters.

Events Committee:

- 4.0 The Events Committee will meet every fourth Tuesday of the month except for the months of August and December.
- 4.1 Due to the nature of the Events Committee and its functions, a Vice Chair will be appointed.
- 4.2 To consider and if appropriate resolve a programme of events to be held within Nantyglo and Blaina including (but not limited to): ARC Awards; Primary Talent Showcase; Nantyglo & Blaina In Bloom; Flower, Fruit and Veg Show; Christmas Carol Concerts & Christmas Fun Nights.
- 4.3 To consider and if appropriate, resolve the siting of the Town Council's Christmas Lights together with the associated costs and issues.
- 4.4 To liaise with and develop working relationships with schools; groups and other bodies working with Nantyglo and Blaina as appropriate.
- 4.5 To consider and if appropriate resolve Civic Events and any other events / functions which would benefit the community of Nantyglo and Blaina.
- 4.6 No serving Councillor or employee of the Town Council can enter any competition or be nominated for any award, organised by the Town Council. This is to ensure that no unfair allegations can be made against any such individual or the Town Council. This will also help to ensure that any delays in the Council ratifying any such results are less likely to be due to the appropriate Council meeting not being quorate.